

HOUSE No. 2644

By Ms. Atkins of Concord, petition of Cory Atkins that health care institutions be required to maintain records of patients' remarks on the level of care received at said institutions. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO A PATIENT'S REPORT CARD OF NURSING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 118G of the General Laws, as appearing
2 in the 2000 Official Edition, is hereby amended by adding the
3 following new section:—

4 Section 25:

5 (a) The Division shall require hospitals, nursing homes, chronic
6 care and rehabilitation hospitals, other specialty hospitals, clinics,
7 including mental health clinics, all other health care institutions,
8 organizations and corporations licensed or registered by the
9 Department of Public Health and health maintenance organiza-
10 tions as defined in chapter one hundred and seventy-six G to
11 annually report appropriate data, including, but not limited to:

12 a. measures which differentiate between severity of patient ill-
13 ness, readmission rates, length of stay, patient/family satisfaction
14 with care;

15 b. indicators of the nature and amount of nursing care directly
16 provided by licensed nurses including, but not limited to, the
17 average ratio of registered nurses to patients or residents and the
18 average skill mix ratio of licensed and supervised unlicensed per-
19 sonnel to patients or residents, medication errors, number and
20 grades of pressure sores, number of falls, number of injuries,
21 number of nosocomial infections and number of preventable hos-
22 pitalizations;

23 c. documentation of defined nursing interventions such as clin-
24 ical assessment by a licensed provider, pain measurement and

25 management, skin integrity management, patient education and
26 discharge planning; and

27 d. documentation of patient safety measures such as restraint
28 checks, seizure precautions and suicidal precautions,

29 e. to enable purchasers of group health insurance policies and
30 health care services and for the public at large to make meaningful
31 financial and quality of care comparisons.

32 (b) The Division shall consult with interested parties, including
33 but not limited to; the Group Insurance Commission, the Massa-
34 chusetts Nurses Association, the Massachusetts Health Data Con-
35 sortium, the Massachusetts Hospital Association, the Public
36 Health Council, Massachusetts Senior Action Council, Associated
37 Industries of Massachusetts, a large labor union, the Division of
38 Medical Assistance, the Board of Registration in Nursing, the
39 Division of Insurance, the Massachusetts Association of Health
40 Maintenance Organizations, and a National Council of Quality
41 Assurance accreditation expert to develop methodologies for col-
42 lecting and reporting data pursuant to this section and to plan for
43 its use and dissemination to culturally diverse populations.

44 (c) Subject to the provisions of section 2(c) of chapter 66A,
45 information collected by the Division pursuant to this section shall
46 be made available annually in the form of printed reports and
47 through electronic medium derived from raw data and/or through
48 computer-to-computer access. All personal data shall be main-
49 tained with the physical safeguards enumerated in said chapter.

1 SECTION 2. Paragraph 5, subsection (m) of Section 70E of
2 Chapter 111 of the General Laws, as appearing in the 1998 Offi-
3 cial Edition, is hereby amended by striking out in line 89 the word
4 “and”.

1 SECTION 3. Said paragraph 5, subsection (n) of said
2 Section 70E of said Chapter 111, as so appearing, is hereby further
3 amended by striking out in line 99 the word “foregoing.” and
4 adding, the following words “foregoing; and”.

1 SECTION 4. Said paragraph 5, subsection (n) of said
2 Section 70E of said Chapter 111, as so appearing, is hereby further
3 amended by adding at the end thereof the following new subsec-
4 tion:—

5 (o) upon request, to receive from a duly authorized representa-
6 tive of the facility, disclosure of said facility's nursing care data,
7 including but not limited to, statistics on the nature and amount of
8 care directly versus indirectly provided by licensed nurses in the
9 facility, including the average ratio of registered nurses to patients
10 or residents and the average skill mix ratio of licensed and super-
11 vised unlicensed personnel to patients or residents, the incidents
12 of nosocomial infections, skin integrity data, patient injuries,
13 patient falls, patient satisfaction data and the method(s) used to
14 provide for routine care and unplanned care needs by licensed
15 nurses. Further, upon request, to receive from said duly autho-
16 rized representative, information regarding the educational prepa-
17 ration and length of employment of said facility's nursing staff
18 and to receive a copy of the comparative nursing care data report
19 as outlined in chapter 118G, section 24 subsection (a). The fee for
20 said report shall be determined by the rate of reasonable copying
21 expenses.